IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

Bail Appl..No. 1694 of 2007()

CRMP.1072/2007 of J.M.F.C.-I,PATHANAMTHITTA

Crime No.130/2007 of Pathanamthitta Police Station

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: PETITIONERS/ACCUSED 2,3 & 4

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1. JAYAN,
   VATTATHARA VEEDU, MANGAMPARA, CHOTTI,
   MUNDAKAYAM VILLAGE, KOTTAYAM DISTRICT.

2. SAM MATHEW, S/O. JOHN,
   MANGATTETHU VEEDU, MANJANIKKARA MURI,
   OMALLOOR.

3. ABHILASH, S/O. RAGHAVAN,
   CHANNAINKAL VEEDU, MUKKALAM MURI,
   KOKKAYAR VILLAGE, IDUKKI.

BY ADV. SRI.SHAJI THOMAS PORKKATTIL
SRI.BINU PAUL

RESPONDENTS: STATE & COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY
   ITS PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
   PATHANAMTHITTA.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1694 OF 2007 B

Dated this the 21st day of March, 2007

O R D E R

Petitioners, who are accused Nos.2 to 4 in Crime No.130/2007 of Pathanamthitta Police Station for offences punishable under sections 8(2) and 55(a) and (i) of the Abkari Act for allegedly having been found in possession of 19 litres of rectified spirit and 2 litres of diluted spirit on 14.2.2007 and who were arrested on the same day, seek their enlargement on bail.

2. Learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioners on bail.

This application is accordingly dismissed.

(V. RAMKUMAR, JUDGE)

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